

FORM PTO-1390
(REV 10-2000)

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

B-4075PCT 618484-4

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
not assigned 09/743823

INTERNATIONAL APPLICATION NO.
PCT/IT99/00226

INTERNATIONAL FILING DATE
19 July 1999

PRIORITY DATE CLAIMED
17 July 1998

TITLE OF INVENTION A SYNTHETIC POLYNUCLEOTIDE CODING FOR HUMAN LACTOFERRIN, VECTORS, CELL
AND TRANSGENIC PLANTS CONTAINING IT

APPLICANT(S) FOR DO/EO/US
Corrado FOGHER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as published.
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(X)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19(35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment with copy of amended claims.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

Copy of Form PCT/IB/308
Copy of PCT Request
Copy of PCT Demand
Copy of Form PCT/IPEA/416 with International Preliminary Examination Report with annexes
Copy of International Search Report (see Information Disclosure Statement)

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO. \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but
international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =**CALCULATIONS** PTO USE ONLY

\$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	58 - 20 =	38	X \$18.00
Independent claims	3 - 3 =	0	X \$80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable) 0*			+ \$270.00

\$ 684.00

\$ 0

\$ 0

TOTAL OF ABOVE CALCULATIONS =

\$ 1544.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2.

\$ 772.00

SUBTOTAL =

\$ 772.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

+

TOTAL NATIONAL FEE =

\$ 772.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

+

TOTAL FEES ENCLOSED =

\$ 772.00

*PRELIMINARY AMENDMENT DELETING MULTIPLE
DEPENDENCIES ENCLOSED.

Amount to be**refunded:**

\$

charged:

\$

a. ☒ A check in the amount of \$ 772.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 12-0415. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

January 16, 2001

DATE

LADAS & PARRY
5670 Wilshire Blvd., #2100
Los Angeles, California 90036-5679

Telephone No.: (323) 934-2300

Telefax No.: (323) 934-0202

SIGNATURE:

Richard P. Berg

NAME

28,145

REGISTRATION NUMBER

09/743823

IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

JC07 Rec'd PCT/PTO 16 JAN 2001

REGARDING THE INTERNATIONAL APPLICATION OF
Corrado FOGHER

ENTITLED: "A SYNTHETIC POLYNUCLEOTIDE CODING FOR HUMAN
LACTOFERRIN, VECTORS, CELLS AND TRANSGENIC PLANTS CONTAINING IT"
INTERNATIONAL APPLN. NO. PCT/IT99/00226
Our Ref: B-4075PCT 618484-4

Commissioner of Patents and Trademarks
BOX PCT
Washington, D.C. 20231

Attn: United States Designated/Elected Office (DO/EO/US)

INTERNATIONAL STAGE EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL652176684US

Date of Deposit: January 16, 2001

I hereby certify that the following attached papers or fee
- postcard

- check for \$772.00

- Transmittal Letter (2 pages)

- copy of PCT International Application as published
consisting of:

Title Page with Abstract (1 page)

Specification (52 pages)

Claims (4 pages)

Drawings (13 sheets)

Sequence Listing (16 pages)

- copy of Form PCT/IB/308 (2 pages)

- Preliminary Amendment (9 pages) with
copy of amended Claims (5 pages)

- Copy of PCT Request (4 pages)

- Copy of PCT Demand (3 pages)

- Copy of Form PCT/IPEA/416 (1 page) with International
Preliminary Examination Report with annexes (13 pages)

- Information Disclosure Statement (2 pages) with
Form PTO-1449 (Modified) (1 page), copy of

International Search Report (4 pages) and copies of
cited documents

are being deposited with the United States Postal Service "Express
Mail Post Office to Addressee" service with sufficient postage
under 37 CFR 1.10 on the date indicated above in an envelope
addressed to the Commissioner of Patents and Trademarks, Box PCT,
Washington, D.C. 20231, Attn: United States Designated/Elected
Office (DO/EO/US).

Karyn Lao

(Typed or printed name of person mailing paper or fee)

